

Dated: \_\_\_\_\_

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: M. Roswell

[illegible]

removes an icon related to a database element where its degree of dissimilarity to other icons corresponds with the distances between the icons.” The Examiner further acknowledges that MacCuish fails to disclose “the mutual positioning of icons on the display in concurrence with the dissimilarity of the elements from the database in order to optimize the usable display area on the display unit.” (Detailed Action, page 2.) The Examiner cites Tachibana (column 2, lines 42-52, and column 1, lines 1-5) as disclosing those features acknowledged to be missing from MacCuish.

However, the Examiner also acknowledges that the combination of MacCuish and Tachibana fails to disclose, or suggest, “the display or removal of an icon related to a database element upon the selection of an arbitrary position on the display.” (Detailed Action, page 3.) The Examiner relies on Osga as disclosing “the selection and manipulation of an object on the display based on the selection of an arbitrary position by the user, based on the distance of a cursor to an object, as shown at col. 4, lines 40-53.” (Detailed Action, page 3) The Examiner contends that it would have been obvious to a person of ordinary skill in the art to combine MacCuish, Tachibana, and Osga to achieve the invention of claims 1-8.

Appellant submits that Tachibana, column 2, lines 42-52, discloses an apparatus that draws icons corresponding to objects, where the correlation between objects is taken into account in computing the correlated positions of the icons. This passage describes in general terms the embodiment of Tachibana, Fig. 4, which is explained at column 6, line 23-45. Column 6 clearly discloses that **Tachibana’s user interface displays elements at varying distances based on their correlation from a root element.** Tachibana discloses displaying icons indicating hierarchical levels, where “the icon indicating the root of the first hierarchical level is a currently regarded node, and is positioned in the center . . . .” (Tachibana, column 6, lines 24-26.) Tachibana discloses that **the other icons are positioned relative to the icon which indicates “the root of the first hierarchical level.”**

As recited in the claims, the present invention selects any arbitrary position on the display unit. Further, the user interface, depending on the control means, displays or removes an icon that relates to any possible element of the database of which the selected arbitrary position



of MacCuish, Tachibana, and Osga. Thus, the combination of MacCuish, Tachibana, and Osga does not result in the claimed invention. Therefore, the Examiner has failed to meet the burden of establishing a *prima facie* case of obviousness.

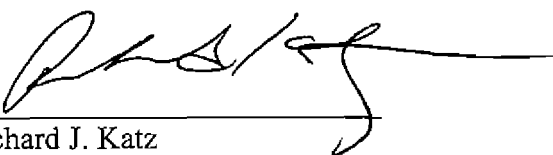
### CONCLUSION

For all of the reasons set forth above, the rejections of claims 1-8 should be reversed. Appellants respectfully request that the application be remanded to the Primary Examiner with an instruction to withdraw the 35 U.S.C. § 103(a) rejections, and pass the case to allowance.

Favorable consideration of this Reply Brief is respectfully requested.

The Examiner is hereby authorized to charge any additional fees associated with this reply to our Deposit Account No. 04-0100.

Respectfully submitted,

By 

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